IN THE CLAIMS:

Claims 1, 3-5, 8 and 9 have been amended herein. All of the pending claims 1 through 9 are presented below. This listing of claims will replace all prior versions and listings of claims in the application. Please enter these claims as amended.

1. (Currently amended) A recombinant nucleic acid molecule produced by the action of a nucleic acid polymerase on a precursor molecule in a complementing cell comprising at least the E1A gene of an adenovirus ~~on a precursor molecule~~; wherein

said precursor ~~recombinant nucleic acid~~ molecule is a nucleic acid molecule based on or derived from an adenovirus,

said precursor ~~recombinant nucleic acid~~ molecule has at least one functional inverted terminal repeat,

said precursor ~~recombinant nucleic acid~~ molecule comprises all other adenovirus derived genetic information not present in said complementing cell and necessary for replication, and

said precursor ~~recombinant nucleic acid~~ molecule is in a linear and essentially single stranded form and comprises, at the precursor molecule's 3' terminus, a recombinantly fused sequence complementary to an upstream part of the same strand of the precursor ~~recombinant nucleic acid~~ molecule, to allow said recombinantly fused sequence and said upstream part to form base pairs and function as a start-site for said nucleic acid polymerase.

2. (Original) The recombinant nucleic acid molecule of claim 1, wherein said recombinant nucleic acid molecule has a functional inverted terminal repeat at each terminus.

3. (Currently amended) The recombinant nucleic acid molecule of claim 1, wherein said precursor ~~recombinant nucleic acid~~ molecule comprises a nucleic acid having an adenovirus hr400-404 mutation.

4. (Currently amended) The recombinant nucleic acid molecule of claim 1, wherein said precursor ~~recombinant nucleic acid~~ molecule comprises an adenovirus E2A ts125 mutation.

5. (Currently amended) The recombinant nucleic acid molecule of claim 1, wherein said

precursor ~~recombinant nucleic acid~~ molecule comprises an adenovirus E2 region under the control of an inducible promoter.

6. (Previously presented) An isolated cell comprising the recombinant nucleic acid molecule of claim 1.

7. (Previously presented) A method of propagating a helper-dependent adenovirus in a complementing cell, comprising:
providing the recombinant nucleic acid molecule of claim 1 to a complementing cell; and
propagating the helper-dependent adenovirus in said complementing cell.

8. (Currently amended) The recombinant nucleic acid molecule of claim 1, wherein said precursor ~~recombinant nucleic acid~~ molecule lacks overlapping sequences with the nucleic acid of the complementing cell into which it is transferred, said overlapping sequences otherwise enabling homologous recombination leading to replication competent virus in the complementing cell.

9. (Currently amended) The recombinant nucleic acid molecule of claim 1, wherein said precursor ~~recombinant nucleic acid~~ molecule lacks a functional encapsidation signal.

10. (New) A method of producing a recombinant nucleic acid molecule, said method comprising:
providing a complementing cell comprising at least the E1A gene of an adenovirus;
introducing a precursor molecule into said complementing cell, wherein
said precursor molecule is a nucleic acid molecule based on or derived from an adenovirus,
said precursor molecule has at least one functional inverted terminal repeat,
said precursor molecule comprises all other adenovirus derived genetic information not present in said complementing cell and necessary for replication, and
said precursor molecule is in a linear and essentially single stranded form and comprises, at the precursor molecule's 3' terminus, a recombinantly fused sequence

complementary to an upstream part of the same strand of the precursor molecule, to allow said recombinantly fused sequence and said upstream part to form base pairs and function as a start-site for said nucleic acid polymerase; and

producing a recombinant nucleic acid by the action of a nucleic acid polymerase on said precursor molecule in said complementing cell.

11. (New) The method according to claim 10, wherein said precursor molecule comprises a nucleic acid having an adenovirus hr400-404 mutation.

12. (New) The method according to claim 10, wherein said precursor molecule comprises an adenovirus E2A ts125 mutation.

13. (New) The method according to claim 10, wherein said precursor molecule comprises an adenovirus E2 region under the control of an inducible promoter.

14. (New) The method according to claim 10, wherein said precursor molecule lacks overlapping sequences with the nucleic acid of the complementing cell into which it is introduced, said overlapping sequences otherwise enabling homologous recombination leading to replication competent virus in the complementing cell.

15. (New) The method according to claim 10, wherein said precursor molecule lacks a functional encapsidation signal.